

DETAILED ACTION

Response to Amendment

1. In response to the Amendment received on March 28, 2008, the examiner has carefully considered the amendments. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Terminal Disclaimer

2. The terminal disclaimer filed on October 25, 2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US Patent 7,179,531 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Arguments

3. Applicant's arguments, see Terminal Disclaimer and Remarks, filed March 28, 2008, with respect to claims 1-4, 6, and 8-10 have been fully considered and are persuasive. Applicant has successfully established that Brown et al (2004/0054063) is not prior art by properly invoking 35 USC 103© with the statements that both Brown et al and the instantly claimed invention at the times the invention was made were both commonly owned by Rohm and Haas Company. The rejection of claims 1-4, 6, and 8-10 under 35 USC 103(a) as being unpatentable over Brown et al (2004/0054063) in view of Dersch et al (6,492,451) has been withdrawn.

Allowable Subject Matter

4. Claims 1-4 and 8-10 are allowed.

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5. The following is an examiner's statement of reasons for allowance: The prior art fails to teach, alone or in combination, a polymer composition comprising organic colorant particles and the instantly defined polymer particles comprised of polymerized units of phosphorus acid monomer and having a first phosphorus acid group. Nor does the prior art teach using said polymer compositions in inkjet ink compositions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L. McClendon whose telephone number is (571) 272-1074. The examiner can normally be reached on Monday through Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sanza L McClendon/
Primary Examiner
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